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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:)
)
CIRCUIT CITY STORES, INC., et al.,) Chapter 11
)
) Case No. 08-35653 (KRH)
Debtors.)
) (Jointly Administered)

**NATIONAL WESTERN LIFE INSURANCE COMPANY'S RESPONSE TO
LIQUIDATING TRUST'S TWENTY-EIGHTH OMNIBUS OBJECTION TO
LANDLORD CLAIMS (REDUCTION OF CERTAIN PARTIALLY INVALID CLAIMS,
DISALLOWANCE OF CERTAIN INVALID CLAIMS, DISALLOWANCE
OF CERTAIN LATE FILED CLAIMS, AND DISALLOWANCE OF
CERTAIN AMENDED CLAIMS)**

National Western Life Insurance Company (“National Western Life”), in response to the Liquidating Trust’s Twenty-Eighth Omnibus Objection to Landlord Claims (Reduction of Certain Partially Invalid Claims, Disallowance of Certain Invalid Claims, Disallowance of Certain Late Filed Claims), makes the following response:

1. Circuit City entered into a lease agreement with Anna Schwartz, Soltan Schwartz, Deborah Landman and Eli Landman (“Landman Schwartz”), regarding its facility in Steubenville, Ohio. A copy of that Lease Agreement (“Lease Agreement”) is attached to and incorporated by reference in Proof of Claim # 11,937 filed by Landman Schwartz (a copy of which is attached to this Response as Exhibit #1)

2. Landman Schwartz executed a Collateral Assignment of Rents, Income and Profits to National Western Life in which it assigned to National Western Life the rents to which it was entitled pursuant to the Lease Agreement (“Assignment of Rents”). The Assignment of Rents is attached to and incorporated by reference in the Proof of Clam #8136 filed by National Western Life (a copy of which is attached this response as Exhibit #2).

3. Circuit City was given notice of the Assignment of Rents (Exhibit #3) by letter dated March 28, 2000.

4. As described by the Liquidating Trusts Twenty Eighth Omnibus Objection To Landlord Claims, the National Western Life and Landman Schwartz claims, while varying in items of damage being claimed, are largely duplicative and only one of such claims are properly payable by the Bankruptcy Estate.

5. After the Proofs of Claims of Landman Schwartz and National Western Life were filed, Landman Schwartz and National Western Life entered into a Deed in Lieu of Foreclosure (Exhibit #4) (“Deed in Lieu”).

6. Under the terms of the Assignment of Rents and under the Deed in Lieu, National Western Life is entitled to the proceeds of any payments to which Landman Schwartz would be entitled to relating to its Proof of Claim #11,937 (See paragraph 8 of the Deed in Lieu).

WHEREFORE, National Western Life Insurance Company respectfully requests that the Court enter an Order directing that (i) the Proof of Claim filed by Anna Schwartz, Zoltan Schwartz, Deborah Landman, and Eli Landman be reduced by the amounts stated in the Notice of Liquidating Trust's Twenty-Eighth Omnibus Objection to Landlord Claims (Reduction of Certain Partially Invalid Claims, Disallowance of Certain Invalid Claims, Disallowance of Certain Late Filed Claims, and Disallowance of Certain Amended Claims), (ii) that any payments from the estate of the allowed claim #11,937 be paid to National Western Life Insurance Company, and that any payment made based on claim #11,937 shall be considered to be a payment of claim #8136 filed by National Western Life Insurance Company and (iii) granting such other and further relief as the Court deems appropriate.

Dated: Richmond, Virginia
December 29, 2011

NATIONAL WESTERN LIFE INSURANCE
COMPANY

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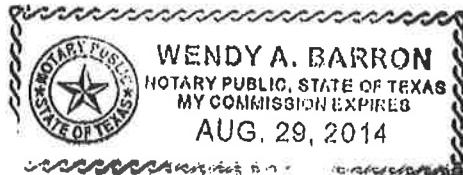
STATE OF TEXAS

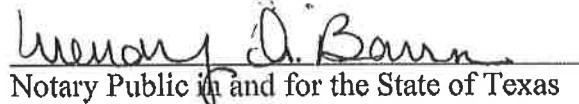
COUNTY OF GALVESTON

BEFORE ME, the undersigned Notary Public, on this day personally appeared Tara B. Annweiler, known to me to be the person whose name is subscribed herein, and who, being by me duly sworn on oath deposed and said that she has read the above and foregoing document and that the facts stated therein are within her personal knowledge and are true and correct.


Tara B. Annweiler

SUBSCRIBED AND SWORN TO BEFORE ME on this 29th day of December , 2011, to certify which witness my hand and official seal.




Wendy A. Barron
Notary Public in and for the State of Texas

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing was filed and served this 29th day of December, 2011, electronically using the Court's ECF System, and was sent by first class mail, postage prepaid, to the entities at the address indicated below:

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By: /s/ William H. Schwarzschild